

### **Remarks**

Claims 2-16 are pending in the application. Claims 5 and 10 have been amended. The Abstract has been amended. New claims 17-25 have been added. Re-examination and reconsideration of the application is respectfully requested for the reasons set forth herein.

1. The Examiner has objected to the amendment filed December 27, 2002 under 35 U.S.C. 132 because it introduces new matter. Specifically, the Examiner stated that the newly proposed abstract introduces additional material, which is not supported by the original disclosure. The added material in the newly proposed abstract includes "a plate form attachment member" in lines 1-2 and "the legs being . . .positional deviation" in lines 6-7.

The language "a plate form attachment member" has been amended to "flat-plate metal attachment member" to agree with the language of the specification. In view of this amendment, removal of the objection under 35 U.S.C. 132 is respectfully requested.

The language "the legs being. . .positional deviation" has been amended to clarify that "...the attachment portion absorbs positional deviation of the housing", to agree with the language of the original disclosure and amended disclosure. This language does not add new matter to the disclosure, because it is supported by the original specification. Specifically, the legs of the attachment portions are described as being positionally shifted to absorb positional deviation of the housing on page 11, line 11 through page 12, line 9 of the original specification. Because no new matter has been added by the amendment filed December 27, 2002 adding the language "the legs being positionally shifted relative to each other so that the legs do not come into contact with each other when the attachment portion absorbs positional deviation", removal of the objection under 35 U.S.C. 132 is respectfully requested.

2. The Examiner has rejected claims 2-16 under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors at the time the application was filed had possession of the claimed invention. Specifically, the features not originally disclosed in the specification and considered to be new matter are “a plate form attachment member” in lines 3 of claims 5 and 10 and “the legs being. . .positional deviation” in lines 6-8 of claim 10.

The language “a plate form attachment member” in claims 5 and 10 has been amended to “flat-plate metal attachment member” to agree with the language of the specification. In view of this amendment, removal of the rejection of claims 5 and 10 under 35 U.S.C. 112, first paragraph is respectfully requested.

The language in claim 10 “the legs being. . .positional deviation” has been amended to clarify that “...the attachment portion absorbs positional deviation of the housing”, to agree with the language of the original disclosure and amended disclosure. This language does not add new matter to the disclosure, because it is supported by the original specification. Specifically, the legs of the attachment portions are described as being positionally shifted to absorb positional deviation of the housing on page 11, line 11 through page 12, line 9 of the original specification. Because no new matter has been added by the amendment filed December 27, 2002, removal of the rejection of claim 10 under 35 U.S.C. 112, first paragraph is respectfully requested.

3. The Examiner has rejected claims 2-3, 5, 6, 7, and 9 under 35 U.S.C. 102(b) as being anticipated by Kinsey, Jr. et al. (US Patent No. 5,863,222). The Examiner stated that insofar as

the claims can be understood, Kinsey, Jr. et al. shows each and every element set forth in the claims. Kinsey, Jr. et al. discloses an insulating housing 20, contacts 21, a plate form attachment 40, a mounting portion including a base with holes 41, two side walls extending upwardly and posts, and an attachment portion 49 having first and second legs including barbs.

Kinsey, Jr. et al. does not teach all the elements of claim 5. Claim 5 states that the moveable connector comprises a flat-plate metal attachment member having a mounting portion attached to the insulating housing and an attachment portion that engages a circuit board, the attachment portion having a first leg and a second leg positionally offset relative to each other in a direction of thickness of the plate so that the attachment portion can be inserted into the circuit board without excessive force. Kinsey, Jr. et al. teaches a shielded connector assembly 10 including a header 20, a shield plate 30, and a pin guide 40. A board lock structure 49 is located on the pin guide member 40, rather than on the housing member 20, to allow the board lock structure 49 to be located on the lighter of the two members, since the housing 20 is heavier than the pin guide 40. As such, the housing 20 may be permitted to simply drop out of an injection mold as part of the manufacturing process of the housing 20 since the risk of damage to the board lock structure 49 associated with the relatively heavy weight of the housing 20 is eliminated. As shown in Figure 5, the board lock structure 49 has two legs projecting from a base portion that is received in the pin guide 40. Unlike the claimed invention, Kinsey, Jr. et al. teaches attaching the base portion of the board lock structure 49 specifically to the pin guide member 40, rather than the housing member 20. Kinsey, Jr. et al. also does not teach the board lock structure 49 having a first leg and a second leg positionally offset relative to each other in a direction of thickness of the plate so the attachment portion can be inserted into the circuit board

without excessive force. Because Kinsey, Jr. et al. does not teach all the elements of claim 5, removal of the rejection of claim 5 under 35 U.S.C. 102(b) is respectfully requested.

Claims 2-3, 6, 7, and 9 depend from independent claim 5. As previously discussed, Kinsey, Jr. et al. does not teach all the elements of claim 5. Because Kinsey, Jr. et al. does not teach all the elements of claim 5, Kinsey, Jr. et al. does not teach all the elements of claims 2-3, 6, 7, and 9. Removal of the rejection of claims 2-3, 6, 7, and 9 under 35 U.S.C. 102(b) is respectfully requested.

4. The Examiner has rejected claims 4 and 8 under 35 U.S.C. 103(a) as being unpatentable over Kinsey, Jr. et al. (US Patent No. 5,863,222).

With regard to claim 4, the Examiner stated that Kinsey, Jr. et al. teaches all the claim limitations as previously discussed with regard to claim 5 and 3. Further, to form the attachment portion such that it is arranged between arms and extends further than the arms would have been an obvious modification since the change provides no stated criticality or solves a stated problem.

Claim 4 depends from independent claim 5. As previously discussed, Kinsey, Jr. et al. does not teach all the elements of claim 5. Because Kinsey, Jr. et al. does not teach all the elements of claim 5, Kinsey, Jr. et al. does not teach all the elements of claim 4, except the attachment portion extending further than the arms from the base portion at a point between the arms. Because the Examiner has failed to set forth a prima facie case of obviousness, removal of the rejection of claim 4 under 35 U.S.C. 103(a) is respectfully requested.

With regard to claim 8, the Examiner stated that Kinsey, Jr. et al. teaches all the claim limitations as previously discussed with regard to claim 5. Further, to solder the attachment

portion to the circuit board would have been an obvious modification since such a change is old and well known in the art.

Claim 8 depends from independent claim 5. As previously discussed, Kinsey, Jr. et al. does not teach all the elements of claim 5. Because Kinsey, Jr. et al. does not teach all the elements of claim 5, Kinsey, Jr. et al. does not teach all the elements of claim 8, except soldering the attachment portion to the circuit board. Because the Examiner has failed to set forth a prima facie case of obviousness, removal of the rejection of claim 8 under 35 U.S.C. 103(a) is respectfully requested.

5. The Examiner has rejected claims 2-3, 5, 6, 7, 9, and 14-15 under 35 U.S.C. 103(a) as being unpatentable over the French Document No. 2,386,963 cited in the Applicant's information disclosure statement in view of McHugh et al. (US Patent No. 5,971,803). The Examiner stated that insofar as the claims can be understood, the French Document shows in Figures 1-7 an insulative housing 42 having contacts, a board 47, a plate form attachment member 41, a mounting portion 30, arms 42, and legs 45. The French Document does not show the board being a circuit board and the mounting portion having barbs. McHugh et al. shows in Figure 1 a mounting portion 12 mounted on a circuit board 99 having barbs 142, 125. The Examiner, therefore, concluded that it would have been obvious to one having skill in the art to modify the connector of the French Document by forming the mounting portion with barbs for mounting on a circuit board, as taught by McHugh et al., in order to secure the attachment member to the housing and to have the housing mounted on the circuit board. Further, to solder the attachment portion to the circuit board would have been an obvious modification since such changes are old and well known in the art.

The combination of the French Document and McHugh et al. does not teach or suggest all the claim limitations of claim 5. Claim 5 states that the moveable connector comprises a flat-plate metal attachment member having a mounting portion attached to the insulating housing and an attachment portion that engages a circuit board, the attachment portion having a first leg and a second leg positionally offset relative to each other in a direction of thickness of the plate so that the attachment portion can be inserted into the circuit board without excessive force. The French Document teaches a fixing assembly for a connector having a pair of hooked arms extending from a plate 30. The hooked arms engage behind holes in a support panel 47 and close inwards to rest against a conical section 37 on an underside of the connector. As shown in Figures 1, 8, and 9, the hooked arms are formed in the same plane. McHugh et al. teaches a board locking means 10 having a pair of claw-like retention portions 16 that vertically extend downward from a bottom side of the base 12. As shown in Figure 1, the claw-like retention portions 16 are formed in the same plane. Unlike the claimed invention, neither the French Document nor McHugh et al. teaches or suggests the board lock structure 49 having a first leg and a second leg positionally offset relative to each other in a direction of thickness of the plate so the attachment portion can be inserted into the circuit board without excessive force. Because the combination of the French Document in view of McHugh et al. does not teach or suggest all the elements of claim 5, the Examiner has failed to set forth a prima facie case of obviousness. Removal of the rejection of claim 5 under 35 U.S.C. 103(a) is respectfully requested.

Claims 2-3, 5, 6, 7, and 9 depend from independent claim 5. As previously discussed, the combination of the French Document in view of McHugh et al. does not teach or suggest all the elements of claim 5. Because the combination of the French Document in view of McHugh et al. does not teach or suggest all the elements of claim 5, the combination of the French Document in

view of McHugh et al. does not teach or suggest all the elements of claims 2-3, 5, 6, 7, and 9, except the dependant claim limitations. Because the Examiner has failed to set forth a prima facie case of obviousness, removal of the rejection of claims 2-3, 5, 6, 7, and 9 under 35 U.S.C. 103(a) is respectfully requested.

Claims 14-15 depend from independent claim 10. The Examiner has failed to show that the combination of the French Document in view of McHugh et al. teaches or suggests all the elements of claim 10. Because the combination of the French Document in view of McHugh et al. has not been shown to teach or suggest all the elements of claim 10, the combination of the French Document in view of McHugh et al. does not teach or suggest all the elements of claims 14-15, except the dependant claim limitations. Because the Examiner has failed to set forth a prima facie case of obviousness, removal of the rejection of claims 14-15 under 35 U.S.C. 103(a) is respectfully requested.

6. New claims 17-25 have been added to the application.

Claim 17 depends from independent claim 5. Because the prior art fails to teach or suggest all the elements of claim 5 for the reasons set forth herein, and the prior art fails to teach or suggest all the elements of claim 17 in combination with the elements of its base claim, claim 17 is considered to be in condition for allowance.

Claim 18 depends from independent claim 10. Because the prior art fails to teach or suggest all the elements of claim 10 for the reasons set forth herein, and the prior art fails to teach or suggest all the elements of claim 18 in combination with the elements of its base claim, claim 18 is considered to be in condition for allowance.

Claim 19 is considered to be in condition for allowance because the prior art fails to teach or suggest a moveable connector comprising an insulating housing having a plurality of contacts, each contact having a contact portion that electrically connects with mating contacts and a contact section that extends toward the circuit board, the contact section having a bent portion and a length that enables the contact to flex to allow the housing to move along a surface of the circuit board.

Claims 20-25 depends from independent claim 19. Because the prior art fails to teach or suggest all the elements of claim 19 for the reasons set forth herein, and the prior art fails to teach or suggest all the elements of claims 20-25 in combination with the elements of their base claim, claims 20-25 are considered to be in condition for allowance.

Examination of new claims 17-25 is respectfully requested.

In view of the amendments and remarks presented herein, the application is considered to be in condition for allowance. Reconsideration and passage to issue is respectfully requested.

A check in the amount of \$90.00 is enclosed for the addition of five claims in excess of twenty under 37 CFR 1.16(c). Please charge any additional fees associated with this application to Deposit Order Account No. 501581.

Respectfully submitted,

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